

58

**Notice of Allowability**

Application No.

09/940,716

Examiner

Ricky D. Shafer

Applicant(s)

MURAGUCHI ET AL.

Art Unit

2872

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 5/11/2005.
2. ☒ The allowed claim(s) is/are 1,3-6 and 9-14.
3. ☒ The drawings filed on 22 October 2001 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☒ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☒ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).


\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached.
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)           |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment                              |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance  |
|   | 9. <input type="checkbox"/> Other _____   |

  
**RICKY D. SHAFER**  
**PATENT EXAMINER**  
**ART UNIT 2872**

Art Unit: 2872

1. In view of the allowability of claim 1, claim 12 previously withdrawn from consideration as being drawn to a nonelected species has been rejoined, the restriction requirement set forth in the communication mailed on 5/20/2003 is hereby withdrawn.

2. The following is an examiner's statement of reasons for allowance:

The prior art of record does not teach or fairly suggest a polarizing filter having a laminate structure comprising a first group of dielectric thin film materials; a second group of dielectric thin materials; and a third layer of dielectric thin film material, wherein a plurality of dielectric materials different from one another in refractive index with respect to a wavelength of incident light are classified into said first group and said second group so that a maximum value among the refractive indices of the dielectric materials belonging to said first group is lower than a minimum value among the refractive indices of the dielectric materials belonging to said second group; wherein at least one layer of dielectric thin film selected from the dielectric materials belonging to said first group and at least one layer of dielectric thin film selected from the dielectric materials belonging to said second group are alternately laminated to form said laminate structure, said laminate structure being mounted on a transparent flat substrate beginning with a first layer adjacent to said transparent flat substrate; wherein said third layer of dielectric thin film has a refractive index which is higher than the maximum value selected from said refractive indices of the dielectric materials belonging to said first group and which is lower than the minimum value selected from said refractive indices of the dielectric materials belonging to said second group and is laminated on an outermost surface of said laminate structure, said laminate structure being between said third layer and said transparent flat substrate; wherein said first layer includes the dielectric thin film selected from the dielectric

Art Unit: 2872

materials belonging to said second group; and wherein said polarizing filter polarizes non-polarized light into polarized light having an s-polarized light component and a p-polarized light component, the transmittance ratio of the s-polarized light component to the p-polarized light component being in the range of 0.2 to 1.0 and said transmittance ratio of said polarizing filter being controllable to obtain a desired intensity ratio of the s-polarized light component to the p-polarized light component of said non-polarized light, as recited in claim 1, lines 3-33.

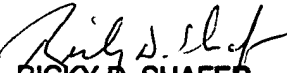
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ricky D. Shafer whose telephone number is (571) 272-2320. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

RDS

June 26, 2005

  
RICKY D. SHAFER  
PATENT EXAMINER  
ART UNIT 2872